



### IOWA SUPREME COURT RULING - [STATE OF IOWA V. SWEET](#)

**Legal Background.** In 2012, the U.S. Supreme Court held that the cruel and unusual punishment clause of the eighth amendment of the U.S. Constitution forbids the mandatory sentencing of life in prison without the possibility of parole for juvenile homicide offenders ([Miller v. Alabama](#)). In 2015, Governor Branstad signed [Senate File 448](#), carving out three sentencing options for juveniles convicted of first degree murder:

- 1) Life without the possibility of parole (unless the Governor commutes the sentence to a term of years).
- 2) Life with the possibility of parole after serving a minimum term determined by the court.
- 3) Life with the possibility of parole.

Under this Act, the court is required to consider a variety of factors during sentencing, including the convicted killer's home life, mental health, and maturity.

**Factual Background.** On May 11, 2012, seventeen-year-old Isaiah Sweet shot and killed his grandparents, Richard and Janet Sweet. Sweet agreed to plead guilty to two counts of first degree murder. The district court sentenced Sweet to life without the possibility of parole.

**Holding.** Juvenile offenders may not be sentenced to life without the possibility of parole under the cruel and unusual punishment clause of Article I, section 17 of the Iowa Constitution. The district court sentence was vacated and the matter remanded to the district court for resentencing.

#### Important highlights of the decision:

- The ruling outlaws life without the possibility of parole as a juvenile sentencing option in Iowa.
- The banning of this juvenile sentencing option does not guarantee that juveniles will receive parole.
- The parole board, instead of the sentencing court, will determine whether the juvenile offender is "irreparably corrupt" and should remain in prison. The purpose of this shift is to allow for the passage of time which will provide opportunities for maturation and rehabilitation, and a record of success or failure in the rehabilitative process will be available.
- Overrules the sentencing option of life without the possibility of parole provision of [Senate File 448](#).

**Fiscal Impact.** This ruling will have some impact on indigent defense costs, although the costs are expected to be minimal. The majority of juveniles sentenced to life without the possibility of parole were resentenced after the [Miller](#) decision in 2012. Those juveniles who were not resentenced to life with parole will receive another resentencing hearing. The estimated costs of those resentencing hearings are expected to be minimal.

#### **Sources**

Judicial Branch  
Department of Corrections  
Office of the State Public Defender/Appellate Defender

**STAFF CONTACT:** Laura Book (515-725-0509) [laura.book@legis.iowa.gov](mailto:laura.book@legis.iowa.gov)